

## Acquiring Land in Fee or Easement with existing protection using OHF dollars

If an OHF funded program wishes to purchase in fee or easement a parcel that has existing protection (example: DNR stream access easement, WPA easement .....) the following is the process for Council approval.

1. Submit a written request to Council staff outlining and explaining the following:
  - The appropriation law, organization and program for which the request is being made
  - Identify parcel location and include a map showing land to be purchased and boundaries of existing easements
  - How the land is classified as a WMA, AMA, WPA etc.
  - Explain and justify the additional habitat value that the OHF purchase will realize
  - Explain how the valuation/appraisal took into consideration the existing protections
2. LSOHC Staff will write a memo for the Council's meeting packet with the manager's request attached.
3. The request will be placed on the next Council meeting agenda for approval.
4. The request will need the approval of 9 Councilmembers.
5. If approved by the Council, a letter of approval to move forward with the acquisition will be sent to the project manager or the accomplishment plan amendment will be approved and included in the file along with a copy of the approved minutes.

### Applicable Statute

#### **97A.056, Subd. 9.Lands in public domain.**

Money appropriated from the outdoor heritage fund shall not be used to purchase any land in fee title or a permanent conservation easement if the land in question is fully or partially owned by the state of Minnesota or a political subdivision of the state, unless: (1) the purchase creates additional direct benefit to protect, restore, or enhance the state's wetlands, prairies, forests, or habitat for fish, game, and wildlife; and (2) the purchase is approved by an affirmative vote of at least nine members of the council.

